

IN RE: PETITION FOR VARIANCE	* BEFORE THE
N/S Wynfield Drive, 1,050' W of	
the c/l of Devlon Court	* DEPUTY ZONING COMMISSIONER
(Lots 6, 8 & 9 of Lyonswood, "B")	
2nd Election District	* OF BALTIMORE COUNTY
3rd Councilmanic District	
	* Case No. 95-200-A
Blackhorse Run Joint Venture	
Petitioner	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for the properties known as Lots 6, 8 and 9 of Lyonswood, Section B, located in the vicinity of McDonogh in Owings Mills. The Petition was filed by the owner of the property, Blackhorse Run Joint Venture, by Ed Personette, and the Contract Purchaser, Landcon, Inc., by Gary Houston, Vice President, through their attorney, Steve Rosen, Esquire. The Petitioners seek relief from Section 1B01.2.C.2.a of the Baltimore County Zoning Regulations (B.C.Z.R.) and Sections V.B.5.a and V.B.5.b of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a building to tract boundary of 28 feet in lieu of the required 30 feet and a window to tract boundary of 28 feet in lieu of the required 35 feet for Lots 6 and 8; a building to tract boundary of 22 feet in lieu of the required 30 feet and a window to tract boundary of 22 feet in lieu of the required 35 feet for Lot 9; and to amend the Final Development Plan for Lyonswood, Section B, accordingly. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing on behalf of the Petition were Richard E. Matz, Professional Engineer, and Steve Rosen, Esquire, attorney for the Petitioners. There were no Protestants present.

COPIES RECEIVED FOR FILING

1/22/95
By *[Signature]*

MICROFILMED

Testimony and evidence offered revealed that the subject properties, also known as 4206, 4208 and 4212 Wynfield Drive, are part of a new subdivision known as Lyonswood, which is currently being developed with single family dwellings. Mr. Matz testified that due to the narrowness and depth of these three lots and the type of home that has been selected by the purchasers of these lots, the requested variances are necessary. He stated that the requested variances are from the rear property lines of these lots which abut a wooded area. Because this wooded area contains steep slopes, it is unlikely that this property will ever be developed. Therefore, it is argued that the requested variances will have no adverse impact upon any other homeowners within this subdivision. Furthermore, the granting of these variances will allow the purchasers of these narrow lots to build the type of home they want.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

ORDER RECEIVED FOR FILING

Date

By

It is clear from the testimony that if the variances are granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land and structures which are the subject of this variance request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief granted will not cause any injury to the public health, safety or general welfare and is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variances requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 25th day of January, 1995 that the Petition for Variance seeking relief from Section 1B01.2.C.2.a of the Baltimore County Zoning Regulations (B.C.Z.R.) and Sections V.B.5.a and V.B.5.b of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a building to tract boundary of 28 feet in lieu of the required 30 feet and a window to tract boundary of 28 feet in lieu of the required 35 feet for Lots 6 and 8; a building to tract boundary of 22 feet in lieu of the required 30 feet and a window to tract boundary of 22 feet in lieu of the required 35 feet for Lot 9; and to amend the Final Development Plan for


ORDER RECEIVED FOR FILING

Date

By

Lyonswood, Section B, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 1/25/05
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

January 25, 1995

Steve Rosen, Esquire
Abramoff, Neuberger & Linder
250 W. Pratt Street
Baltimore, Maryland 21201

RE: PETITION FOR VARIANCE
N/S Wynfield Drive, 1,050' W of the c/l of Devlon Court
(Lots 6, 8 & 9 of Lyonswood, Section B)
2nd Election District - 3rd Councilmanic District
Blackhorse Run Joint Venture - Petitioner
Case No. 95-200-A

Dear Mr. Rosen:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Richard Matz, c/o Colbert, Matz, Rosenfelt & Woolfolk, Inc.
3723 Old Court Road, Suite 206, Baltimore, Md. 21208

Mr. Ed Personette
9508 Winands Road, Owings Mills, Md. 21117

People's Counsel

File

MICROFILMED





Petition for Variance

95-200-A

to the Zoning Commissioner of Baltimore County

for the property located at 4206, 4208 & 4212 WYNFIELD DRIVE
which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHED.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) TO PERMIT CONSTRUCTION OF BUILDING MODEL DESIRED BY PURCHASERS OF LOTS IN QUESTION. STRICT CONFORMANCE WOULD BE UNNECESSARILY BURDENSOME.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

GARY HOUSTON-VICE / PRESIDENT
LANDCON, INC.
(Type or Print Name)

Signature

8826 ORCHARD TREE LANE

Address

TOWSON, MD

21286

City

State

Zipcode

Attorney for Petitioner:

STEVE ROSEN

(Type or Print Name)

ABRAMOFF, NEUBERGER & LINDER

Signature

250 W. PRATT ST. 539-8300

Address

BALTIMORE

MD

Phone No.

21201

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

BLACKHORSE RUN JOINT VENTURE

(Type or Print Name)

Signature

C/O ED PERSONETTE

(Type or Print Name)

9508 WINANDS ROAD

QWINGS MILLS, MD 21117

Signature

Address

Phone No.

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

RICHARD E. MATZ

COLBERT MATZ ROSENFELT & WOOLFOLK, INC.

3723 OLD COURT ROAD #206

BALTIMORE, MD 21208

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

SMR

DATE

11-30-94

195

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

ATTACHMENT

95-200-A

4206, 4208 & 4212 WYNFIELD DRIVE

VARIANCES ARE BEING REQUESTED FROM SECTION 1B01.2.C.2.a OF THE BALTIMORE COUNTY ZONING REGULATIONS (B.C.Z.R.) AND SECTIONS V.B.5.a AND V.B.5.b OF THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES (CMDP) FOR THE FOLLOWING LOTS IN SECTION B, PLAT 3 OF LYONSWOOD:

1. LOT 6 (4212 WYNFIELD DRIVE): 28 FT. FROM BUILDING TO TRACT BOUNDARY IN LIEU OF THE REQUIRED 30 FT., AND 28 FT. FROM WINDOW TO TRACT BOUNDARY IN LIEU OF THE REQUIRED 35 FT.
2. LOT 8 (4208 WYNFIELD DRIVE): 28 FT. FROM BUILDING TO TRACT BOUNDARY IN LIEU OF THE REQUIRED 30 FT., AND 28 FT. FROM WINDOW TO TRACT BOUNDARY IN LIEU OF THE REQUIRED 35 FT.
3. LOT 9 (4206 WYNFIELD DRIVE): 22 FT. FROM BUILDING TO TRACT BOUNDARY IN LIEU OF THE REQUIRED 30 FT., AND 22 FT. FROM WINDOW TO TRACT BOUNDARY IN LIEU OF THE REQUIRED 35 FT.

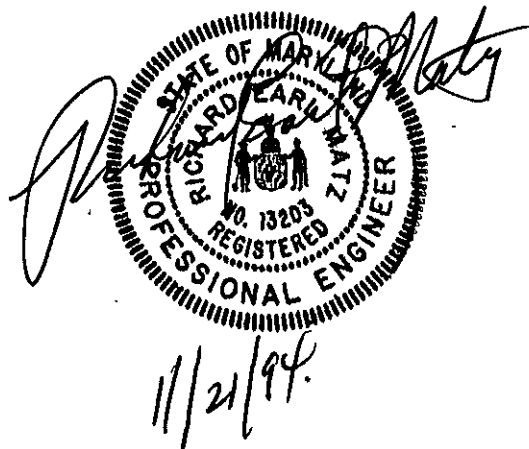
AND TO AMEND THE FINAL DEVELOPMENT PLAN
FOR LYONSWOOD

DESCR\EXEMPWYN.ZON

95-200-A

ZONING DESCRIPTION
4206, 4208 & 4212 WYNFIELD DRIVE
2ND ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING AT A POINT ON THE NORTH SIDE OF WYNFIELD DRIVE WHICH IS 50 FEET WIDE AT A DISTANCE OF 1050 FEET (LOT 6), 1210 FEET (LOT 8) AND 1289 FEET (LOT 9), RESPECTIVELY, WEST OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET, DEVLON COURT, WHICH IS 50 FEET WIDE. BEING LOTS 6, 8 AND 9 OF PLAT 3, SECTION B- IN THE SUBDIVISION OF LYNSWOOD AS RECORDED IN BALTIMORE COUNTY PLAT BOOK #62, FOLIO #077, AND CONTAINING 8176 SQ. FT. (0.1877 AC.), 8093 SQ. FT. (0.1858 AC.) AND 9579 SQ. FT. (0.2199 AC.), RESPECTIVELY.



10/1/94

195

Heam 1/12/95

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 95-200-17
Towson, Maryland

District Inch Date of Posting 12/16/94
Posted for: Variances
Petitioner: Black horse Pen Joint Venture
Location of property: J
Location of Signs: H206 H208 & H212 Wynfield Drive
Facing roadway on property being zoned
Remarks: No pole used
Posted by M. Heaton Date of return: 12/22/94
Signature
Number of Signs: 1



MICROFILMED

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-200-A
(Item 195)
4206, 4208, and 4212
Wynfield Drive
N/S Wynfield Drive
Lyonswood, Section B,
Lots 6, 8, & 9
2nd Election District
3rd Councilmanic
Legal Owner(s):
Blackhorse Run Joint
Venture
Contract Purchaser(s):
Landcon, Inc.
Hearing: Thursday,
January 12, 1995 at 2:00
p.m. in Rm. 118, Old
Courthouse.

Variance to allow 28 feet from building to tract boundary in lieu of the required 30 feet for lots #6 and #8; to allow 22 feet from building to tract boundary in lieu of the required 30 feet for lot #9; to allow 28 feet from window to tract boundary in lieu of the required 35 feet for lots #6 and #8; to allow 22 feet from window to tract boundary in lieu of the required 35 feet for lot #9; and to amend the Final Development Plan for Lyonswood.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations. Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3381.
12/15/94 December 15.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

12/15, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/15, 1994

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

RECORDED



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-200-A

Account: R-001-6180

Number

1985

STUA

Date

11-28-94 GARY Houston
LANDCON INC.

010-3 RES. UAA. 150⁰⁰

030-3 SPH. HANUC.
to Amend Dev. Per. 150⁰⁰

080-3 SIGNS. 105⁰⁰

TOTAL \$405⁰⁰

MICROFILMED

0000280743NTC:IRC

\$405.00

RG 0001121PM12-01-94

Please Make Checks Payable To: Baltimore County

Cashier Validation

HEARING CONSTRAINTS...
STEVE ROSEN

CANNOT BE FIRST
WEEK OF JAN

Duke MATZ

DEC 23rd TO JAN 1
OUT OF TOWN

SWEN: PLEASE
SCHED. HEARING. AT 100

SAW. 9-11.

5777

From
Dori Crawford

SMR -

Review and sign.

~~X~~ Mr. Matz will
meet w/ you when
he returns.

#190
#195

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

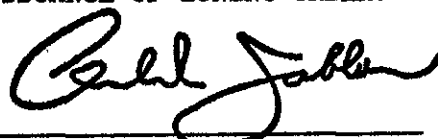
Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.



ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 190

Petitioner: LANDCON, INC

Location: 8826 ORCHARD TREE LANE, TOWSON, MD

PLEASE FORWARD ADVERTISING BILL TO:

21286.

NAME: LANDCON, INC.

ADDRESS: 8826 ORCHARD TREE LANE

TOWSON, MD 21286

PHONE NUMBER: 410-825-4200

AJ:ggs

(Revised 04/09/93)

MICROFILMED

TO: PUTUXENT PUBLISHING COMPANY
December 15, 1994 Issue - Jeffersonian

Please forward billing to:

Landcon, Inc.
8826 Orchard Tree Lane
Towson, MD 21286
410-825-4200

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-200-A (Item 195)
4206, 4208, and 4212 Wynfield Drive
N/S Wynfield Drive - Lyonswood, Section B, Lots 6, 8, & 9
2nd Election District - 3rd Councilmanic
Legal Owner(s): Blackhorse Run Joint Venture
Contract Purchaser(s): Landcon, Inc.
HEARING: THURSDAY, JANUARY 12, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Variance to allow 28 feet from building to tract boundary in lieu of the required 30 feet for lots #6 and #8; to allow 22 feet from building to tract boundary in lieu of the required 30 feet for lot #9; to allow 28 feet from window to tract boundary in lieu of the required 35 feet for lots #6 and #8; to allow 22 feet from window to tract boundary in lieu of the required 35 feet for lot #9; and to amend the Final Development Plan for Lyonswood.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

micromedia

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

December 8, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-200-A (Item 195)
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A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Blackhorse Run Joint Venture
Richard E. Matz
Landcon, Inc./Gary Houston
Steve Rosen, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

December 23, 1994

Steve Rosen, Esquire
Abramoff, Neuberger and Linder
250 West Pratt Street
Baltimore, Maryland 21201

RE: Item No:195
Case No.:95-200A
Petitioner: Blackhorse Run

Dear Mr. Rosen:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on December 1, 1994.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i. e. zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over a faint, circular official stamp.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

RECORDED



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Dec. 19, 1994
Zoning Administration and Development Management

FROM: *Rob* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for December 19, 1994
Items 190, 191, 192, 195, and 196

The Developers Engineering Section has reviewed
the subject zoning items and we have no comments.

RWB:sw

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: see below

DATE: 12/15/94

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

Agenda -
Mtg. of 11/28/94
Items # 178, 179, 180, 183, 184, 185

Mtg. of 12/5/94
Items 188 and 189

Mtg. of 12/12/94
Items 191, 192, 194, 195, 198

LS:sp

LETTY2/DEPRM/TXTSBP

RECEIVED



**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

12-7-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: \$ 195 (JRA)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Zoning Administration and
 Development Management

DATE: December 13, 1994

FROM: Pat Keller, Director
 Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 190, 191, 192, 195, 196, 198

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Sam L. Klein

JL

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 12/08/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF DEC. 12, 1994

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 190, 191, 192, 193, 194
195, 196 AND 198.

RECEIVED
DEC 9 1994
ZADM

MICROFILMED

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

RE: PETITION FOR VARIANCE * BEFORE THE
4206, 4208, and 4212 Wynfield Drive, * ZONING COMMISSIONER
N/S Wynfield Drive - Lyonswood, * OF BALTIMORE COUNTY
Section B, Lots 6, 8, & 9, 2nd *
Election Dist., 3rd Councilmanic *
Blackhorse Run Joint Venture * CASE NO. 95-200-A
Petitioners *

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

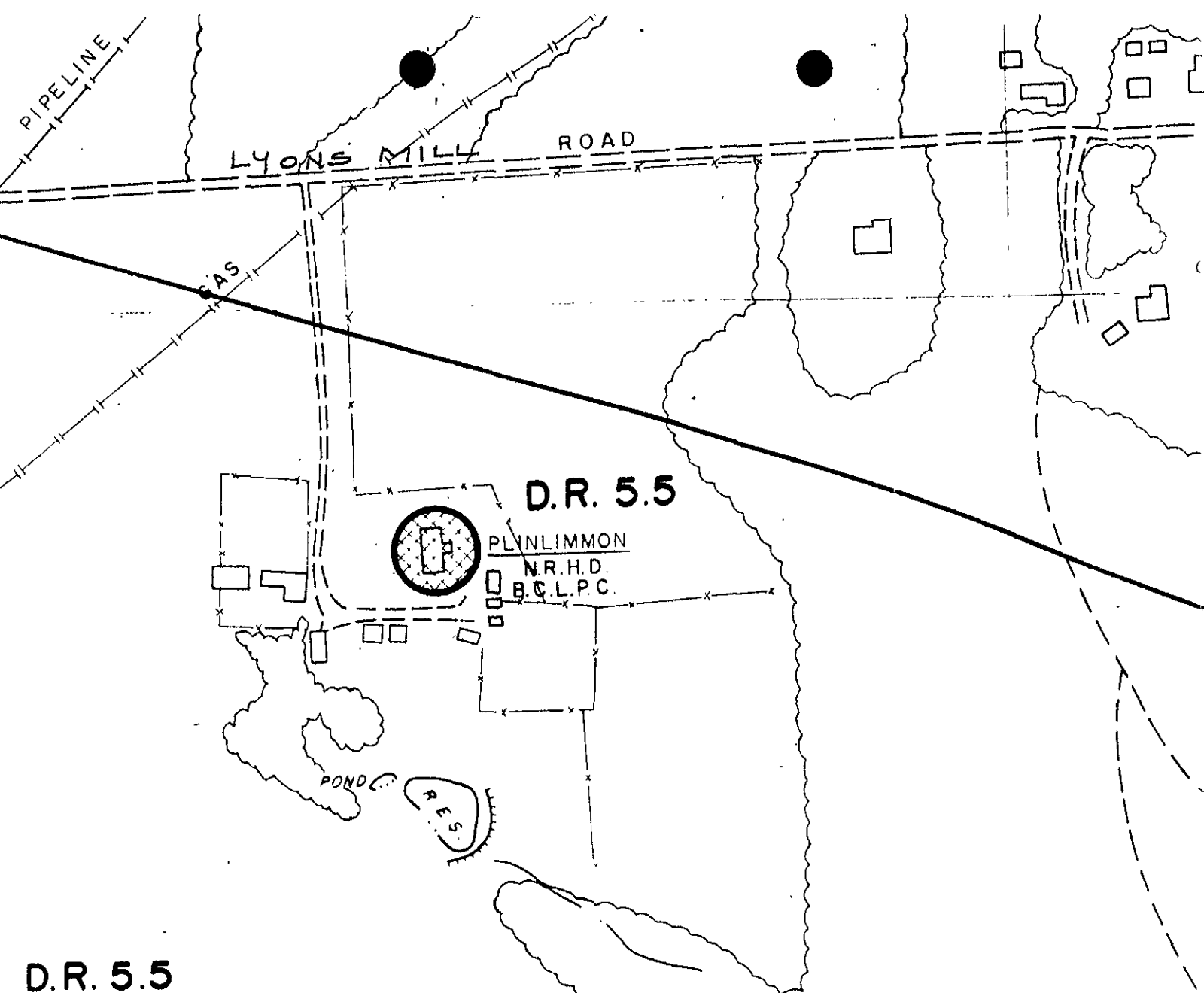
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of December, 1994, a copy of the foregoing Entry of Appearance was mailed to Steve Rosen, Esquire, Abramoff, Neuberger & Linder, 250 W. Pratt Street, Baltimore, MD 21201, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

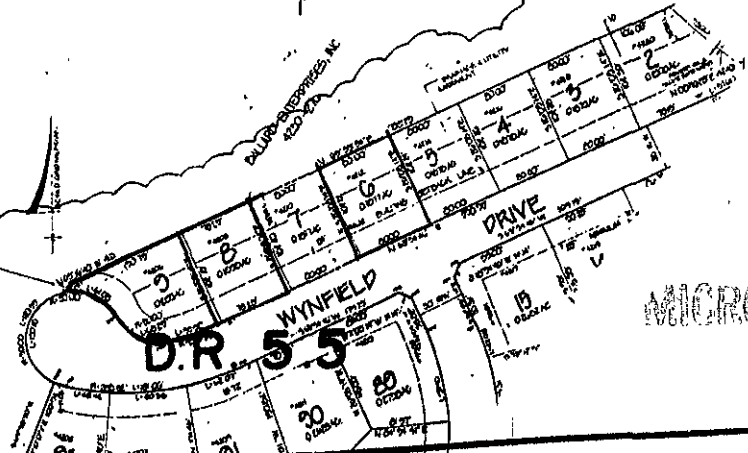


D.R. 5.5

95-200-A

LYONSWOOD
SECTION B
LOTS 6, 8 AND 9

1" = 200'



MICROFILM NW 9.I
195.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

RICHARD E. MATZ, P.E.

3723 OLD COURT ROAD, STE 206 BALTO 21208

STEVE. ROSEN, ESQ.

250 W. PRATT, SUITE 800 21201



Printed with Soybean Ink
on Recycled Paper

NOTED SIGN IN SHEET

PETITIONER'S
EXHIBITS



2A



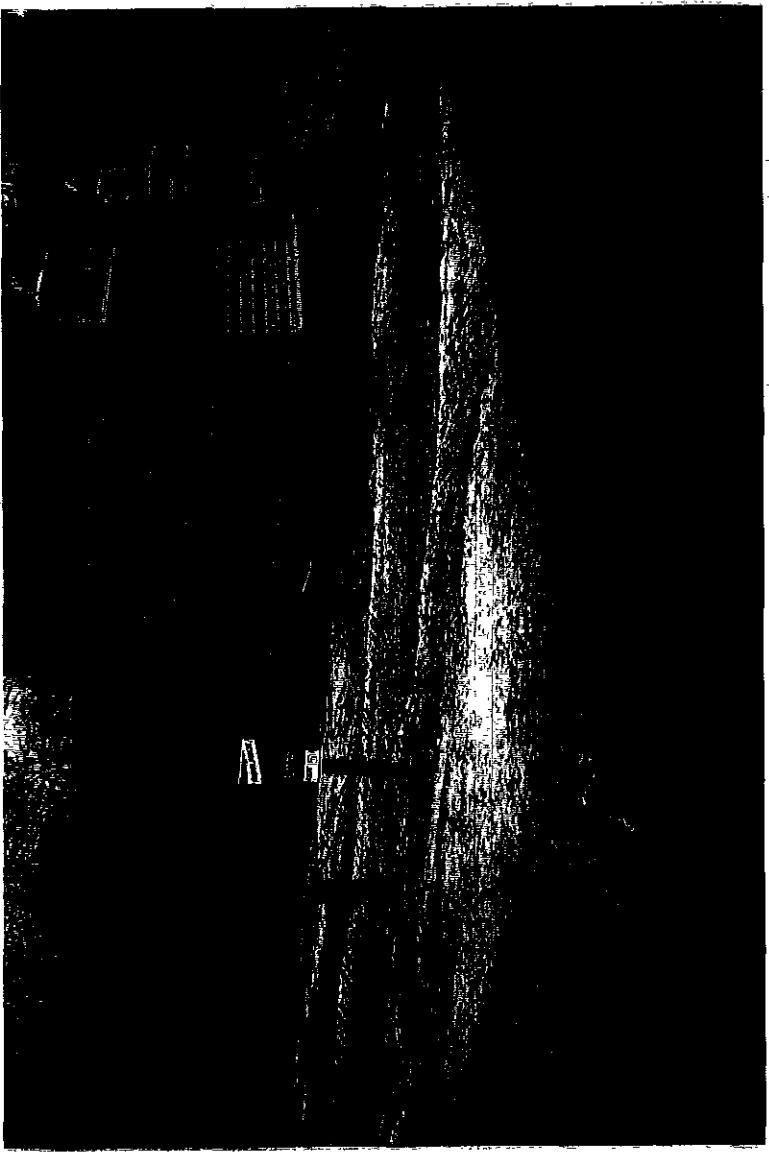
2B



2C



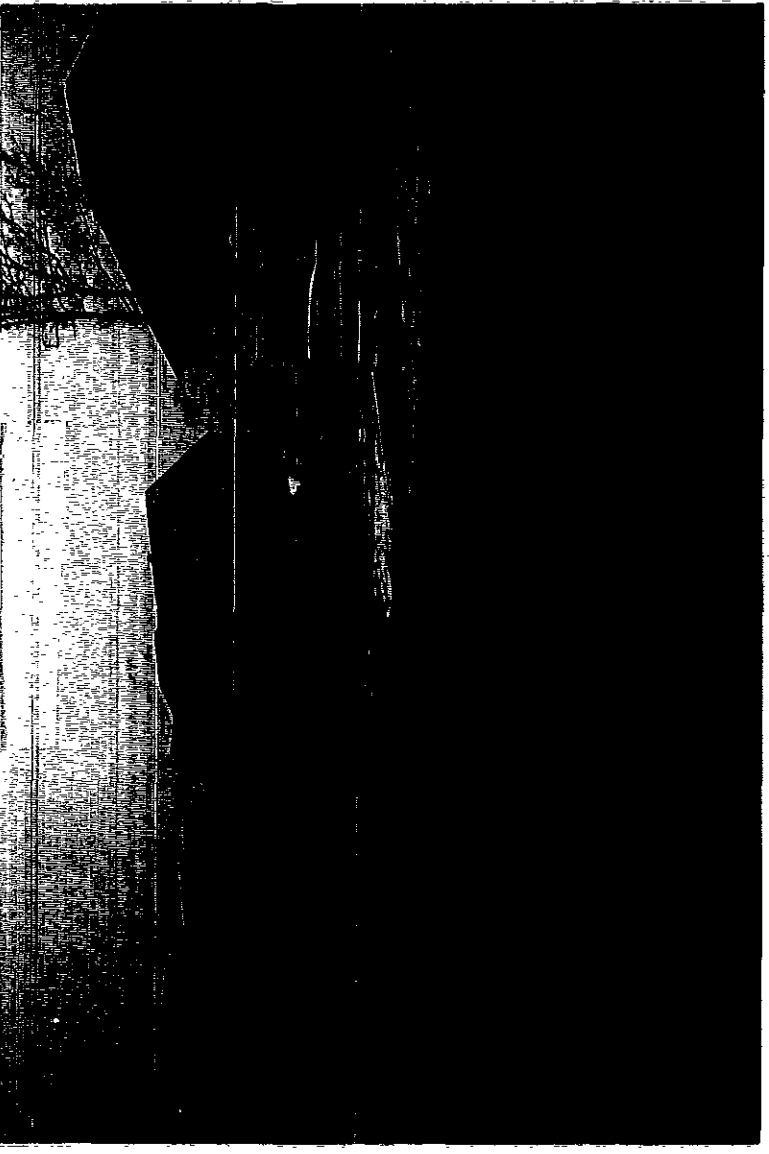
2D



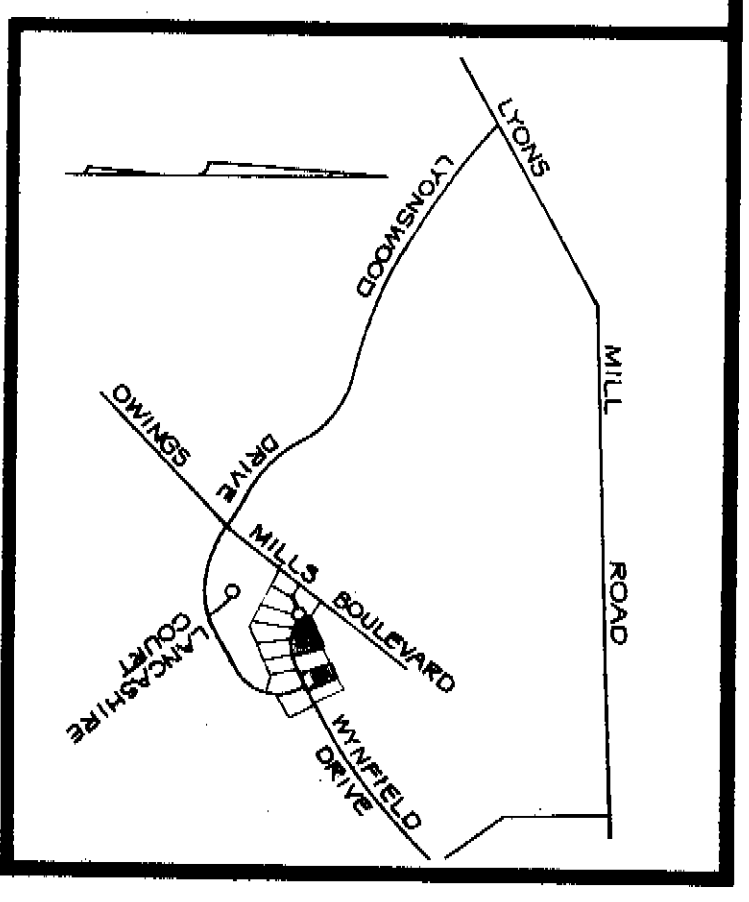
2E



2F



2G



VICINITY MAP
SCALE: 1"=2000'



NOTE:
ANY HOUSE TYPE SITED ON LOT 71
WILL REQUIRE AN ELEVATOR RAMP
TO SERVE THE BASEMENT FLOOR.

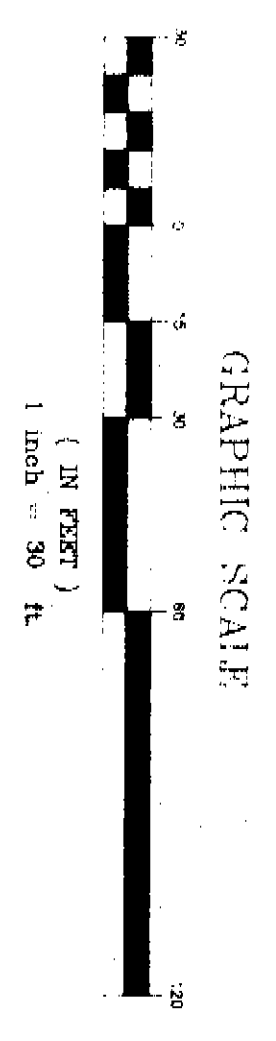
GENERAL NOTES

1. Owner: RA Personnel
Blackhorse Run Joint Venture
9508 Wynnfield Road
Gwynneth Hills, Md. 21117
Contract Purchaser:
Richard W. Yaffe, Pres.
Landcom, Inc. Tree Lane
Towson, Md. 21286
2. Lyonswood Subdivision, Plat 3, Section B
Plat Book 63/977
Lots 6, 8 and 9
Council District 3
Property Address: 4232 Wynnfield Drive (Lot 6)
4208 Wynnfield Drive (Lot 8)
4206 Wynnfield Drive (Lot 9)
Tax Account No. 2200005008 (Lot 6)
2200005010 (Lot 8)
2200005011 (Lot 9)
3. 1"=200' Scale Zoning Map: WM 9-1
Zoning: D.R.-5.5
Lot Size: Lot 6 - 0.1877 AC (8176 SQ. FT.)
Lot 8 - 0.1858 AC (8083 SQ. FT.)
Lot 9 - 0.2199 AC (9579 SQ. FT.)
4. All lots served by public water and sewer.
Chesapeake Bay Critical Area: None
Prior Zoning Hearing: None

Colbert Matz
Rosenfield & Woolfolk, Inc.
Civil Engineers, Landscape Architects
Land Surveyors, Land Planners
3723 Old Court Road, Suite 206
Baltimore, Maryland 21208
Telephone: (410) 653-3838
Facsimile: (410) 653-7953



DATE	11/14/94
BY	2
NO.	93012
REASON	
BY	



GRAPHIC SCALE
(IN FEET)
1 inch = 30 ft.

95-200-A

PLAT TO ACCOMPANY HEARING FOR ZONING VARIANCE
COUNTS WOULD BE SELECTED BY THE BOARD

MILROTH MED



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

LOCATION

Mc DONOUGH
VICINITY

SCALE

1" = 200' ±

DATE
OF
PHOTOGRAPHY

JANUARY
1986

SHEET

MICROFILMED
N.W.
9-1

195

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

95-200-A

IN RE: PETITION FOR VARIANCE
W/S Wynfield Drive, 1,050' W of
the c/l of Devlon Court
(Lots 6, 8 & 9 of Lyonswood, "B")
2nd Election District
3rd Councilmanic District
Blackhorse Run Joint Venture
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-200-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for the properties known as Lots 6, 8 and 9 of Lyonswood, Section B, located in the vicinity of McDonogh in Owings Mills. The Petition was filed by the owner of the property, Blackhorse Run Joint Venture, by Ed Personette, and the Contract Purchaser, Landcon, Inc., by Gary Houston, Vice President, through their attorney, Steve Rosen, Esquire. The Petitioners seek relief from Section 1801.2.C.2.a of the Baltimore County Zoning Regulations (B.C.Z.R.) and Sections V.B.5.a and V.B.5.b of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a building to tract boundary of 28 feet in lieu of the required 30 feet and a window to tract boundary of 28 feet in lieu of the required 35 feet for Lots 6 and 8; a building to tract boundary of 22 feet in lieu of the required 30 feet and a window to tract boundary of 22 feet in lieu of the required 35 feet for Lot 9; and to amend the Final Development Plan for Lyonswood, Section B, accordingly. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing on behalf of the Petition were Richard E. Matz, Professional Engineer, and Steve Rosen, Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence offered revealed that the subject properties, also known as 4206, 4208 and 4212 Wynfield Drive, are part of a new subdivision known as Lyonswood, which is currently being developed with single family dwellings. Mr. Matz testified that due to the narrowness and depth of these three lots and the type of home that has been selected by the purchasers of these lots, the requested variances are necessary. He stated that the requested variances are from the rear property lines of these lots which abut a wooded area. Because this wooded area contains steep slopes, it is unlikely that this property will ever be developed. Therefore, it is argued that the requested variances will have no adverse impact upon any other homeowners within this subdivision. Furthermore, the granting of these variances will allow the purchasers of these narrow lots to build the type of home they want.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

- 2 -

It is clear from the testimony that if the variances are granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land and structures which are the subject of this variance request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief granted will not cause any injury to the public health, safety or general welfare and is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variances requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 25th day of January, 1995 that the Petition for Variance seeking relief from Section 1801.2.C.2.a of the Baltimore County Zoning Regulations (B.C.Z.R.) and Sections V.B.5.a and V.B.5.b of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a building to tract boundary of 28 feet in lieu of the required 30 feet and a window to tract boundary of 28 feet in lieu of the required 35 feet for Lots 6 and 8; a building to tract boundary of 22 feet in lieu of the required 30 feet and a window to tract boundary of 22 feet in lieu of the required 35 feet for Lot 9; and to amend the Final Development Plan for

- 3 -

Lyonswood, Section B, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TNK:bjs

ORDER RECEIVED FOR FILING
Date 1/25/95
By bp

- 4 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

January 25, 1995

Steve Rosen, Esquire
Abramoff, Neuburger & Linder
250 W. Pratt Street
Baltimore, Maryland 21201

RE: PETITION FOR VARIANCE
N/S Wynfield Drive, 1,050' W of the c/l of Devlon Court
(Lots 6, 8 & 9 of Lyonswood, Section B)
2nd Election District - 3rd Councilmanic District
Blackhorse Run Joint Venture - Petitioner
Case No. 95-200-A

Dear Mr. Rosen:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TNK:bjs

cc: Mr. Richard Matz, c/o Colbert, Matz, Rosenfelt & Woolfolk, Inc.
3723 Old Court Road, Suite 206, Baltimore, Md. 21208

Mr. Ed Personette
9508 Winands Road, Owings Mills, Md. 21117

People's Counsel

File

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 4206, 4208 & 4212 WYNFIELD DRIVE
which is presently zoned DR 5,5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHED.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) TO PERMIT CONSTRUCTION OF BUILDING MODEL DESIRED BY PURCHASERS OF LOTS IN QUESTION. STRICT CONFORMANCE WOULD BE UNNECESSARILY BURDENSOME.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Owner:
GARY HOUSTON, VICE PRESIDENT
LANDCON, INC.
(Type or Print Name)

Gary Houston
8826 ORCHARD TREE LANE
TOWSON, MD 21286

Address: 8826 ORCHARD TREE LANE
City: TOWSON, MD 21286

State: MD Zipcode: 21286

Attorney for Petitioner:
STEVE ROSEN
ABRAMOFF, NEUBERGER & LINDER
(Type or Print Name)

Steve Rosen
250 W. PRATT ST. 539-8300
Address: 250 W. PRATT ST.
City: BALTIMORE, MD 21201

State: MD Zipcode: 21201

Write on extremely durable and often under the penalties of perjury, that you are the legal owner(s) of the property which is the subject of this Petition.

Blackhorse Run Joint Venture (Type or Print Name)

Ed Personette
C/O ED PERSONETTE
(Type or Print Name)

9508 WINANDS ROAD
OWINGS MILLS, MD 21117

Address: 9508 WINANDS ROAD
City: OWINGS MILLS, MD 21117

State: MD Zipcode: 21117

Attorney for Petitioner:
RICHARD E. MATZ
COLBERT MATZ ROSENFELT & WOOLFOLK, INC.
(Type or Print Name)

3723 OLD COURT ROAD #206
BALTIMORE, MD 21208

State: MD Zipcode: 21208

ESTIMATED LENGTH OF HEARING
the following date: 5/20/94 DATE 11/30/94

ALL OTHERS
REVIEWED BY: 5/20/94 DATE 11/30/94

ORDER RECEIVED FOR FILING
Date 1/25/95
By bp

195

ATTACHMENT

4206, 4208 & 4212 WYNFIELD DRIVE

VARIANCES ARE BEING REQUESTED FROM SECTION 1801.2.C.2.a OF THE BALTIMORE COUNTY ZONING REGULATIONS (B.C.Z.R.) AND SECTIONS V.B.5.a AND V.B.5.b OF THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES (CMDP) FOR THE FOLLOWING LOTS IN SECTION B, PLAT 3 OF LYONSWOOD:

1. LOT 6 (4212 WYNFIELD DRIVE): 28 FT. FROM BUILDING TO TRACT BOUNDARY IN LIEU OF THE REQUIRED 30 FT., AND 28 FT. FROM WINDOW TO TRACT BOUNDARY IN LIEU OF THE REQUIRED 35 FT.
2. LOT 8 (4208 WYNFIELD DRIVE): 28 FT. FROM BUILDING TO TRACT BOUNDARY IN LIEU OF THE REQUIRED 30 FT., AND 28 FT. FROM WINDOW TO TRACT BOUNDARY IN LIEU OF THE REQUIRED 35 FT.
3. LOT 9 (4206 WYNFIELD DRIVE): 22 FT. FROM BUILDING TO TRACT BOUNDARY IN LIEU OF THE REQUIRED 30 FT., AND 22 FT. FROM WINDOW TO TRACT BOUNDARY IN LIEU OF THE REQUIRED 35 FT.

AND TO AMEND THE FINAL DEVELOPMENT PLAN
FOR LYONSWOOD

DESCR/EXEMEPWYN.ZON

ZONING DESCRIPTION
4206, 4208 & 4212 WYNFIELD DRIVE
2ND ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING AT A POINT ON THE NORTH SIDE OF WYNFIELD DRIVE WHICH IS 50 FEET WIDE AT A DISTANCE OF 1050 FEET (LOT 6), 1210 FEET (LOT 8) AND 1289 FEET (LOT 9), RESPECTIVELY, WEST OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET, DEVLOU COURT, WHICH IS 50 FEET WIDE. BEING LOTS 6, 8 AND 9 OF PLAT 3, SECTION B IN THE SUBDIVISION OF LYONSWOOD AS RECORDED IN BALTIMORE COUNTY PLAT BOOK #62, FOLIO #077, AND CONTAINING 8176 SQ. FT. (0.1877 AC.), 8093 SQ. FT. (0.1858 AC.) AND 9579 SQ. FT. (0.2193 AC.), RESPECTIVELY.



11/21/94

195

195

1/12/95

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 95-200-A
Towson, Maryland

District... 2nd Date of Posting 12/14/94
Posted for: Various
Petitioner: Black Horse Run Joint Venture
Location of property: J
Location of Signs: 2206 HARRIS WAY, WYFIELD DRIVE
Remarks: No. 100-100
Posted by: M. J. J. Date of return: 12/22/94
Number of Signs: 1



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Date: 11-28-94 LANDCON INC.
010-3 RES. UPR. 150
030-3 SPH. HALL 150
050-3 SIGNS 105
TOTAL 405

receipt
95-200-A
Account: R-001-6180
Number: 1955
STA

Please Make Checks Payable To: Baltimore County

Cashier Validation

#195

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 190
Petitioner: LANDCON, INC.
Location: 8826 ORCHARD TREE LANE, TOWSON, MD
PLEASE FORWARD ADVERTISING BILL TO: 21286
NAME: LANDCON, INC.
ADDRESS: 8826 ORCHARD TREE LANE
TOWSON, MD 21286
PHONE NUMBER: 410-825-4200

AJ:ggs

(Revised 04/09/93)

TO: PUTNEM PUBLISHING COMPANY
December 15, 1994 Tamm - Jeffersonian

Please forward billing to:

Landcon, Inc.
8826 Orchard Tree Lane
Towson, MD 21286
410-825-4200

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-200-A (Item 195)
4206, 4208, and 4212 Wynfield Drive
W/S Wynfield Drive - Lynwood, Section B, Lots 6, 8, & 9
2nd Election District - 3rd Councilmanic
Legal Owner(s): Blackhorse Run Joint Venture
Contract Purchaser(s): Landcon, Inc.
HEARING: THURSDAY, JANUARY 12, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Variance to allow 28 feet from building to tract boundary in lieu of the required 30 feet for lots #6 and #8; to allow 22 feet from building to tract boundary in lieu of the required 30 feet for lot #9; to allow 28 feet from window to tract boundary in lieu of the required 35 feet for lots #6 and #8; to allow 22 feet from window to tract boundary in lieu of the required 35 feet for lot #9; and to amend the Final Development Plan for Lynwood.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE: 95-200-A (Item 195)
4206, 4208, and 4212 Wynfield Drive
W/S Wynfield Drive - Lynwood, Section B, Lots 6, 8, & 9
2nd Election District - 3rd Councilmanic
Legal Owner(s): Blackhorse Run Joint Venture
Contract Purchaser(s): Landcon, Inc.
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Variance to allow 28 feet from building to tract boundary in lieu of the required 30 feet for lots #6 and #8; to allow 22 feet from building to tract boundary in lieu of the required 30 feet for lot #9; to allow 28 feet from window to tract boundary in lieu of the required 35 feet for lots #6 and #8; to allow 22 feet from window to tract boundary in lieu of the required 35 feet for lot #9; and to amend the Final Development Plan for Lynwood.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

CERTIFICATE OF PUBLICATION

TOWSON, MD. 12/15/94

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/15/94

THE JEFFERSONIAN,

A. Henickson
LEGAL AD. - TOWSON

HEARING CONSTRAINTS
STEVE ROSEN
CANNOT BE FIRST
WEEK OF JAN

Duke MATZ
DEC 23rd TO JAN 1
OUT OF TOWN
GIVEN: PLEASE
SCHED. HEARING AT 10:00
SAND 9-11
STH

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

December 8, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-200-A (Item 195)
4206, 4208, and 4212 Wynfield Drive
W/S Wynfield Drive - Lynwood, Section B, Lots 6, 8, & 9
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Variance to allow 28 feet from building to tract boundary in lieu of the required 30 feet for lots #6 and #8; to allow 22 feet from building to tract boundary in lieu of the required 30 feet for lot #9; to allow 28 feet from window to tract boundary in lieu of the required 35 feet for lots #6 and #8; to allow 22 feet from window to tract boundary in lieu of the required 35 feet for lot #9; and to amend the Final Development Plan for Lynwood.

Arnold Jablon
Director

Arnold Jablon
Director

cc: Blackhorse Run Joint Venture
Richard E. Matz
Landcon, Inc./Gary Houston
Steve Rosen, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 106, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

December 23, 1994

Steve Rosen, Esquire
Abramoff, Neuburger and Linder
250 West Pratt Street
Baltimore, Maryland 21201

RE: Item No: 195
Case No. 95-200A
Petitioner: Blackhorse Run

Dear Mr. Rosen:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on December 1, 1994.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i. e. zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

**BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director DATE: Dec. 19, 1994
Zoning Administration and Development Management
FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section
RE: Zoning Advisory Committee Meeting
for December 19, 1994
Items 190, 191, 192, 195, and 196

The Developers Engineering Section has reviewed the subject zoning items and we have no comments.

RWB:sw

**BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE**

TO: ZADM DATE: 12/15/94
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: see below

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s: Agenda -
Metg. of 11/25/94
Items # 178, 179, 180, 183, 184, 185
Metg. of 12/5/94
Items 188 and 189
Metg. of 12/12/94
Items 191, 192, 194, 195, 198

LS:sp

LETTY2/DEPRM/TXTSPB



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No: **\$ 195 (JRA)**

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: December 13, 1994

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 190, 191, 192, 195, 196, 198
If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey M. Long*

Division Chief: *Carol L. Klein*

JL

NC190/PZONE/TXTJWL

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 12/08/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP 105

RE: Proposed Changes See Below

LOCATION: DISSEMINATION MEETING OF APC, DEC. 1994

Item Nos. SEE BELOW

Zoning Agents:

Comments:

Pursuant to your request, the referenced property has been surveyed by this Office and the comments below are applicable and required to be collected or incorporated into the final plans for the property.

2. The Fire Marshal's Office has no comments at this time.
REFERENCE TO THE FOLLOWING ITEM NUMBERS: 190, 191, 192, 195, 196, 197, 198 AND 199.

REVIEWER: LT. ROBERT P. BAUERHARD
Fire Marshal Office, PHONE 887-4681, MS-1105F

cc: File

Printed on Recycled Paper

RE: PETITION FOR VARIANCE
4206, 4208, and 4212 Wynfield Drive,
N/S Wynfield Drive - Lyonswood,
Section B, Lots 6, 8, & 9, 2nd
Election Dist., 3rd Councilmanic
Blackhorse Run Joint Venture
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 95-200-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

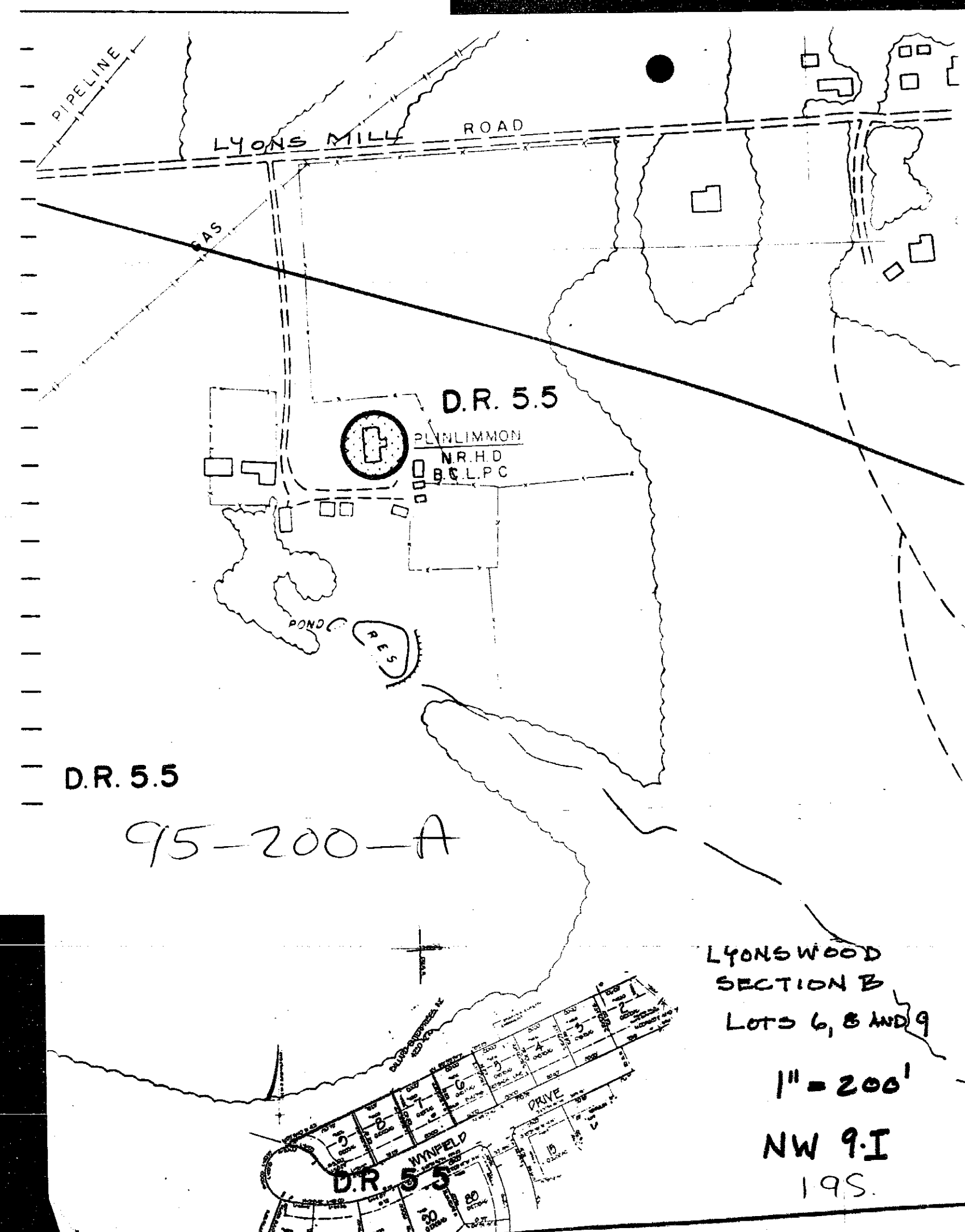
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of December, 1994, a copy of the foregoing Entry of Appearance was mailed to Steve Rosen, Esquire, Abramoff, Neuberger & Linder, 250 W. Pratt Street, Baltimore, MD 21201, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

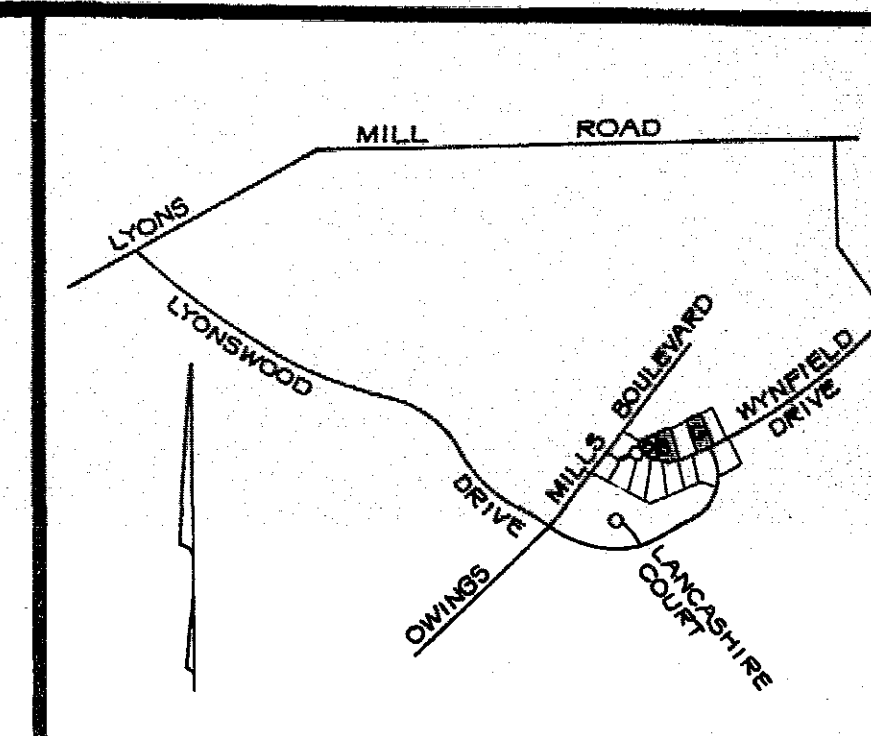
PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Richard E. Matz, P.E.</i>	<i>3723 AD CANT ROAD STE 206 21208</i>
<i>Steve Rosen, Esq.</i>	<i>250 W. PRATT, SUITE 800 21201</i>

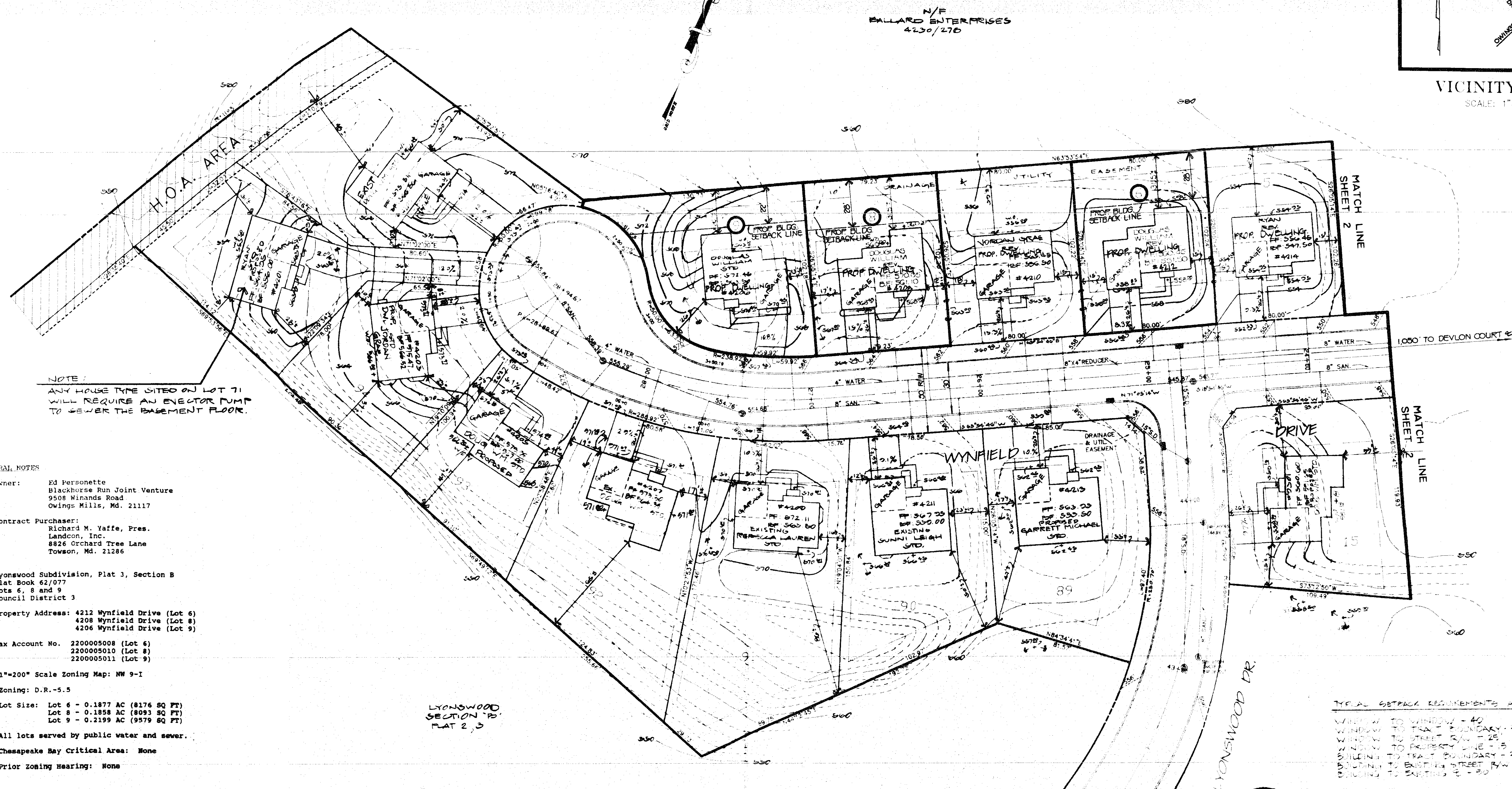


Petitioner's Exhibits 2A-2C (photographs) 95-200-A





VICINITY MAP
SCALE: 1" = 2,000'



NOTE:
ANY HOUSE TYPE SITED ON LOT 71
WILL REQUIRE AN EJECTOR PUMP
TO SEWER THE BASEMENT FLOOR.

GENERAL NOTES

- Owner: Ed Personette
Blackhorse Run Joint Venture
9508 Winands Road
Owings Mills, Md. 21117

Contract Purchaser:
Richard M. Yaffe, Pres.
Landcon, Inc.
8826 Orchard Tree Lane
Towson, Md. 21286
- Lyonswood Subdivision, Plat 3, Section B
Plat Book 62/077
Lots 6, 8 and 9
Council District 3

Property Address: 4212 Wynfield Drive (Lot 6)
4208 Wynfield Drive (Lot 8)
4206 Wynfield Drive (Lot 9)

Tax Account No. 2200005008 (Lot 6)
2200005010 (Lot 8)
2200005011 (Lot 9)
- 1"=200' Scale Zoning Map: NW 9-1
Zoning: D.R.-5.5
Lot Size: Lot 6 - 0.1877 AC (8176 SQ FT)
Lot 8 - 0.1858 AC (8093 SQ FT)
Lot 9 - 0.2199 AC (9579 SQ FT)
- All lots served by public water and sewer.
Chesapeake Bay Critical Area: None
Prior Zoning Hearing: None

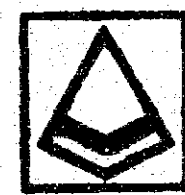
LYONSWOOD
SECTION "B"
PLAT 2, 3

TYPICAL SETBACK REQUIREMENTS - ALL UNITS
FRONT TO WINDOW - 40'
WINDOW TO FRONT BOUNDARY - 25'
WINDOW TO STREET R/W - 25'
WINDOW TO PROPERTY LINE - 15'
BUILDING TO TRAIL BOUNDARY - 30'
BUILDING TO EXISTING STREET R/W - 25'
BUILDING TO EXISTING E - 50'

Colbert Matz
Rosenfelt & Woolfolk, Inc.

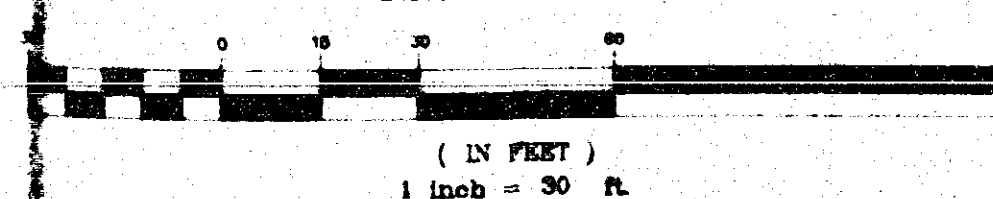
Civil Engineers - Landscape Architects
Land Surveyors - Land Planners
3723 Old Court Road, Suite 206
Baltimore, Maryland 21208

Telephone: (410) 853-3838
Facsimile: (410) 853-7963



SURVEYED BY	DESIGNED BY	DRAWN BY	CHECKED BY	DATE	SCALE
		C.J.C.		11/21/94	1" = 30'
DWG. No.	AC FILE	CLINO	JOB No.	REF. #	SHEET
	93012GR1		93012		1
					OF 2

GRAPHIC SCALE

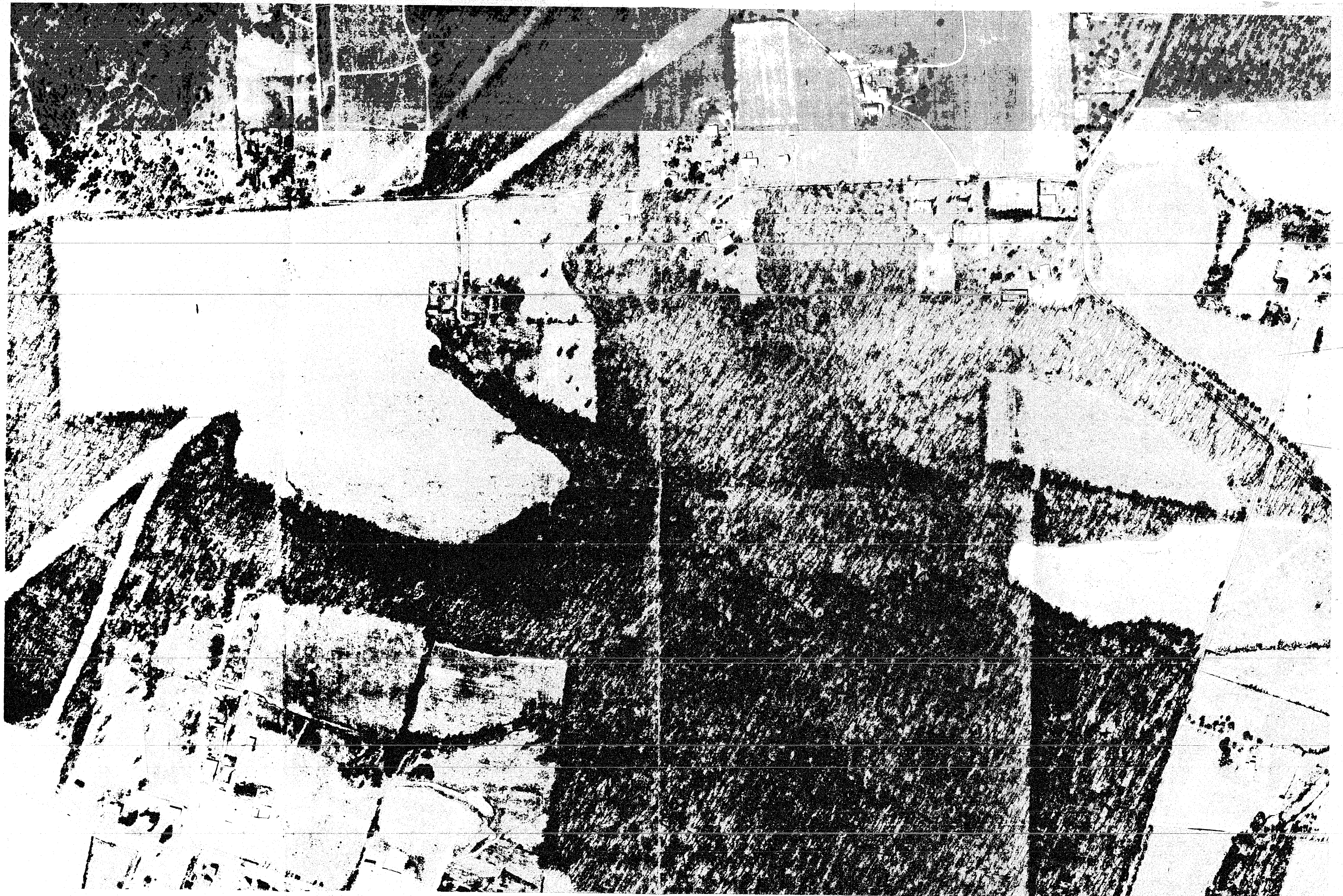


95-200-A

PLAT TO ACCOMPANY HEARING FOR ZONING VARIANCE
LYONSWOOD, SECTION "B"
DATE: 11-21-94

EXHIBIT 1

95-200-A



195.

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	Mc DONOUGH	N. W.
DATE OF PHOTOGRAPHY JANUARY 1986	VICINITY	9-I